

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EQUISTAR CHEMICALS, LP, }
Plaintiff, }
VS. } CIVIL ACTION NO. H-08-959
POLYMER PACKAGING, INC., }
Defendant. }

OPINION & ORDER

Pending before the Court is Plaintiff Equistar Chemicals', LP, ("Equistar") Motion for Summary Judgment (Doc. 13). Defendant Polymer Packaging, Inc., ("PPI") has not filed any responsive pleadings. Equistar has also filed a Suggestion of Bankruptcy (Doc. 15). Equistar and its affiliates have entered a voluntary petition of bankruptcy under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1532. The debtor's chapter 11 case is now pending in *In Re Lyondell Chemical Company*, Chapter 11 Case No. 09-10023. Thus, this action is now stayed pursuant to § 362 of the Bankruptcy Code. Accordingly, the Court ORDERS that this case is ADMINISTRATIVELY CLOSED until such time as the debtor-in-possession or trustee of this chapter 11 case notify the court it wishes to reinstate this action.

SIGNED at Houston, Texas, this 27th day of January, 2009.



MELINDA HARMON
UNITED STATES DISTRICT JUDGE